

DETAILED ACTION

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.
2. Authorization for this examiner's amendment was given in a telephone interview with Stephen Adrian on 03/22/2010.

The application has been amended as follows:

IN THE ABSTRACT:

Delete lines 1-11 and insert in its place "A".

In lines 18-19, delete the paragraph indent, so the entire abstract will be one paragraph.

Allowable Subject Matter

3. The following is an examiner's statement of reasons for allowance: Masuda et al (WO03/008679) in view of Hochberg et al (US 4,732,921).
4. As discussed in the previous office action, Masuda et al disclose polyester based fibers for artificial hair that includes all the aspects of the claimed invention except for the epoxy brominated bisphenol A type flame retardant. Masuda et al does disclose compositions with phosphorous based flame retardants. Hochberg et al discloses molded articles of polyesters with flame the specific flame retardants of the claimed

invention and teaches advantageous improvements to the mechanical properties of the polyester. The references are analogous art because they are solving the same problem, namely improvement of flame retardancy to polyesters, though Hochberg et al is not directed to artificial hair products.

5. However, Applicants have convincingly shown in the Declarations submitted 03/15/2010 that there are unexpected results in polyester hair fibers when adding the claimed epoxy brominated flame retardant. In particular, Applicants have shown advantageous improvements in gloss, transparence and curl setting properties that would not have been expected by one having ordinary skill in the art from the disclosures of Masuda et al and Hochberg et al.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MIKE DOLLINGER whose telephone number is (571)270-5464. The examiner can normally be reached on M-F 9-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Randy Gulakowski can be reached on 571-272-1302. The fax phone

number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/mmd/

/RANDY GULAKOWSKI/
Supervisory Patent Examiner, Art Unit 1796